

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PUBLIC EMPLOYEES' RETIREMENT
SYSTEMS OF MISSISSIPPI,
Individually and On Behalf of All Others
Similarly Situated,

Plaintiff,

v.

TREEHOUSE FOODS, INC., SAM K.
REED, DENNIS F. RIORDAN and
CHRISTOPHER D. SLIVA,

Defendants.

Case No.: 16-CV-10632

Hon. Robert M. Dow

AGREED MOTION TO EXTEND SCHEDULE

Plaintiff Public Employees' Retirement Systems of Mississippi, individually and on behalf of all others similarly situated, and Defendants TreeHouse Foods, Inc., Sam K. Reed, Dennis F. Riordan, and Christopher D. Sliva, by their undersigned attorneys, hereby jointly move for the Court to enter the Proposed Amended Schedule, attached hereto as Exhibit A. In support thereof, the Parties state as follows:

1. Plaintiff filed its initial complaint on November 16, 2016, alleging class action claims against Defendants, followed by an Amended Complaint on March 24, 2017. (Dkt. 1, 45.)
2. On May 26, 2017, Defendants filed their motion to dismiss. (Dkt. 58.) By July 28, 2017, the motion was fully briefed by all Parties. (Dkt. 61, 64.)
3. After the Court denied Defendants' motion to dismiss on February 12, 2018, the Parties submitted a Joint Status Report, attaching a Proposed Schedule on April 23, 2018. (Dkt. 86.) The Court adopted the Parties' Proposed Schedule on April 25, 2018. (Dkt. 88.)
4. Pursuant to the entered schedule, Plaintiff served its opening expert report on class certification and filed its motion for class certification on July 13, 2018. (Dkt. 93, 94.)
5. During this time, the parties began the process of discovery.

6. On August 20, 2018, and again on September 20, 2018, the Parties filed agreed motions to extend schedule (Dkt. 95, 100), both of which the Court granted (Dkt. 97, 102).

7. Pursuant to the entered schedule, Defendants filed their opposition to Plaintiff's motion for class certification on October 8, 2018. (Dkt. 106.)

8. On November 12, 2018, the Parties filed an agreed motion to stay proceedings to allow them to explore potential mediation to resolve their dispute. (Dkt. 108.) The Court granted the motion on November 19, 2018. (Dkt. 110.)

9. On December 27, 2018, the Parties submitted to the Court a Joint Letter Regarding the Status of Mediation, informing the Court that the Parties were in the process of determining dates for mediation and requesting that the Court continue the stay. (Dkt. 117.) The Court granted the request to continue the stay and requested that the Parties file a joint status report no later than March 29, 2019. (Dkt. 118.)

10. The Parties engaged in mediation and have not settled the dispute.

11. As a result, the Parties now seek to resume the litigation and submit a Proposed Amended Schedule, attached hereto as Exhibit A.

12. Defendants' counsel conferred with Plaintiff's counsel regarding this extension and Plaintiff's counsel has agreed to the requested extension.

13. This motion is not made for purposes of harassment or undue delay, nor is it due to any oversight or lack of diligence on the part of the Parties.

14. None of the Parties will be prejudiced by the requested extension.

WHEREFORE, the Parties respectfully request that the Court grant the agreed motion and enter the Proposed Amended Schedule attached hereto as Exhibit A.

Dated: March 29, 2019

Respectfully submitted,

WINSTON & STRAWN LLP

By: /s/James P. Smith III

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true and correct copy of the foregoing was filed electronically with the Clerk of the Court and served on all counsel of record via CM/ECF system on March 29, 2019.

/s/ _____ James P. Smith

Exhibit A**Proposed Amended Schedule**

Event	Proposed Deadline
Deadline for Parties to refile class certification motion, opposition, and supporting papers	April 3, 2019
Deadline to depose Defendants' class certification experts	May 3, 2019
Plaintiff to serve reply expert report, reply in support of class certification	May 17, 2019
Hearing on Class Certification	TBD
Substantial completion of document production	August 2, 2019
Deadline to file document discovery motions	October 18, 2019
Completion of fact discovery (including fact depositions)	January 10, 2020
Disclosure of expert witnesses on the merits and service of opening expert reports	February 28, 2020
Disclosure of rebuttal expert witnesses, if any, and service of rebuttal reports	April 10, 2020
Service of any reply expert affidavit	June 5, 2020
Completion of expert discovery	August 2, 2020
Summary Judgment, Daubert, and other dispositive motions	September 20, 2020
Summary Judgment Oppositions	November 1, 2020
Summary Judgment Replies	December 13, 2020
Pre-Trial Order	90 days after ruling on summary judgment